

survival of the species. This notification is for a single import.

IV. Next Steps

After the comment period closes, we will make decisions regarding permit issuance. If we issue permits to any of the applicants listed in this notice, we will publish a notice in the **Federal Register**. You may locate the notice announcing the permit issuance by searching <https://www.regulations.gov> for the permit number listed above in this document. For example, to find information about the potential issuance of Permit No. 12345A, you would go to [regulations.gov](https://www.regulations.gov) and search for "12345A".

V. Authority

We issue this notice under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), and its implementing regulations.

Brenda Tapia,

Supervisory Program Analyst/Data Administrator, Branch of Permits, Division of Management Authority.

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DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

[OMB Control Number 1010-0106; Docket ID: BOEM-2017-0016]

Agency Information Collection Activities; Oil Spill Financial Responsibility

AGENCY: Bureau of Ocean Energy Management, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Bureau of Ocean Energy Management (BOEM) is proposing to renew an information collection request (ICR).

DATES: Interested persons are invited to submit comments on or before June 10, 2022.

ADDRESSES: Send your comments on this ICR by mail to the BOEM Information Collection Clearance Officer, Anna Atkinson, Bureau of Ocean Energy Management, 45600 Woodland Road, Sterling, Virginia 20166; or by email to anna.atkinson@boem.gov. Please reference Office of Management and Budget (OMB) control number 1010-0106 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about

this ICR, contact Anna Atkinson by email at anna.atkinson@boem.gov, or by telephone at 703-787-1025. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States. You may also view the ICR at <http://www.reginfo.gov/public/do/PRAMain>.

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995, BOEM provides the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps BOEM assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand BOEM's information collection requirements and provide the requested data in the desired format.

BOEM is soliciting comments on the proposed ICR described below. BOEM is especially interested in public comments addressing the following issues: (1) Is the collection necessary to the proper functions of BOEM; (2) what can BOEM do to ensure that this information is processed and used in a timely manner; (3) is the burden estimate accurate; (4) how might BOEM enhance the quality, utility, and clarity of the information to be collected; and (5) how might BOEM minimize the burden of this collection on the respondents, including minimizing the burden through the use of information technology?

Comments submitted in response to this notice are a matter of public record. BOEM will include or summarize each comment in its request to OMB for approval of this ICR. You should be aware that your entire comment—including your address, phone number, email address, or other personally identifiable information included in your comment—may be made publicly available. You may request that BOEM withhold from disclosure your personally identifiable information. Your request must identify any information contained in your comment that, if released, would constitute a clearly unwarranted invasion of your personal privacy. You also must briefly describe any possible harmful consequences of disclosure of that information, such as embarrassment, injury, or other harm. While you can ask

in your comment that your personally identifiable information be withheld from public disclosure, BOEM cannot guarantee that it will be able to do so under the law.

BOEM protects proprietary information in accordance with the Freedom of Information Act (5 U.S.C. 552), the Department of the Interior's implementing regulations (43 CFR part 2), and 30 CFR parts 550 and 552 promulgated pursuant to the Outer Continental Shelf (OCS) Lands Act (43 U.S.C. 1352(c)).

Title of Collection: 30 CFR part 553, "Oil Spill Financial Responsibility for Offshore Facilities."

Abstract: This ICR concerns the paperwork requirements in 30 CFR part 553, including any supplementary notices to lessees and operators that provide clarification, description, or explanation of these regulations, and forms BOEM-1016 through -1023, and BOEM-1025.

BOEM uses forms to collect information to ensure proper and efficient administration of its oil spill financial responsibility requirements. BOEM collects information to:

- Provide a standard method for establishing whether a party is required to demonstrate oil spill financial responsibility for offshore facilities;
- Identify and maintain a record of those offshore facilities that have a potential oil spill liability requiring the demonstration of oil spill financial responsibility;
- Establish and maintain a continuous record of evidence of oil spill financial responsibility to assure payment of claims for oil spill cleanup and damages resulting from operations conducted on covered offshore facilities and from the transportation of oil from covered offshore facilities;
- Establish and maintain a continuous record of responsible parties, as defined in title I of the Oil Pollution Act of 1990, and their agents or authorized representatives for oil spill financial responsibility for covered offshore facilities; and
- Establish and maintain a continuous record of persons to contact and U.S. agents for service of process for claims associated with oil spills from covered offshore facilities.

OMB Control Number: 1010-0106.

Type of Review: Renewal of a currently approved information collection.

Respondents/Affected Public: Designated applicants and holders of leases, permits, right-of-way grants, and right-of-use and easement grants on the OCS and in State coastal waters who are responsible parties. Other respondents

may be designated applicants' insurance agents and brokers, bonding companies, and guarantors. Some respondents may also be claimants.

Total Estimated Number of Annual Responses: 2,233 responses.

Total Estimated Number of Annual Burden Hours: 34,695 hours.

Respondent's Obligation: Mandatory.

Frequency of Collection: On occasion or annual.

Total Estimated Annual Non-Hour Burden Cost: There is no non-hour cost burden associated with this collection.

Estimated Reporting and Recordkeeping Hour Burden: The current annual burden for this collection is 22,133 hours. BOEM

proposes to increase the annual burden to 34,695 hours to account for changes in industry operations due to COVID and remote work. As COVID restrictions ease and continue to be lifted, BOEM expects an increase in the number of respondents annually due to industry practices developed during the pandemic as companies resume production and re-establish oil spill financial responsibility coverage.

Remote work led to changes in how industry reviews and processes required documents. Prior to COVID, in-person meetings with a group of reviewers were held to complete the task quickly and efficiently. Now with many employees working from home, document

preparation, review, and editing are taking longer as the documents move through several individual reviewers. Companies have provided this feedback through our outreach efforts. Therefore, BOEM is increasing hour burdens to account for the additional review and editing time. This increase in respondents and burden hours may be temporary and will be revisited by BOEM during future reviews of U.S. OCS supply and demand patterns.

The following table details the individual components and respective hour burden estimates of this ICR. In the table, the term "oil spill financial responsibility" has been shortened to "OSFR."

BURDEN BREAKDOWN

Citation 30 CFR part 553	Reporting requirement *	Hour burden	Average number of annual responses	Annual burden hours
Various sections	The burdens for all references to submitting evidence of OSFR, as well as required or supporting information, are covered with the forms below.			0
Applicability and Amount of OSFR				
11(a)(1); 40; 41	Form BOEM-1016—Designated Applicant Information Certification.	3	250	750
11(a)(1); 40; 41	Form BOEM-1017—Appointment of Designated Applicant ..	10	750	7,500
11(a)(1); (2)	Form BOEM-1025—Independent Designated Applicant Information Certification.	2	200	400
12, 45	Request for determination of OSFR applicability. Provide required and supporting information.	2	5	10
15	Notify BOEM of change in ability to comply	1	1	1
15(f)	Provide claimant written explanation of denial	1	15	15
Subtotal .....	.....	.....	1,221	8,676
Methods for Demonstrating OSFR				
21-28; 40	Form BOEM-1018—Self-Insurance Information, including renewals.	3	50	150
30; 40; 41; 43	Form BOEM-1023—Financial Guarantee	2	50	100
29; 40; 41; 43	Form BOEM-1019—Insurance Certificate	120	150	18,000
31; 40; 41; 43	Form BOEM-1020—Surety Bond	24	4	96
32	Proposal and supporting information for alternative method to evidence OSFR (anticipate no proposals, but regulations provide the opportunity).	120	1	120
Subtotal .....	.....	.....	255	18,466
Requirements for Submitting OSFR Information				
14; 40; 41; 43	Form BOEM-1021—Covered Offshore Facilities	10	255	2,550
40-42	Form BOEM-1022—Covered Offshore Facility Changes	10	500	5,000
Subtotal .....	.....	.....	755	7,550
Claims for Oil-Spill Removal Costs and Damages				
Subpart F	Claims: BOEM is not involved in the claims process. Assessment of burden for claims against the Oil Spill Liability Trust Fund (33 CFR parts 135, 136, 137) falls under the responsibility of the U.S. Coast Guard.			0
60(d)	Claimant request for BOEM assistance to determine whether a guarantor may be liable for a claim.	2	1	2
62	Within 15-calendar days of claim, designated applicant must notify the guarantor and responsible parties of the claim.	1	1	1
Subtotal .....	.....	.....	2	3

BURDEN BREAKDOWN—Continued

Citation 30 CFR part 553	Reporting requirement *	Hour burden	Average number of annual responses	Annual burden hours
Total Burden	2,233	34,695

* In the future, BOEM may require electronic filing of financial and bonding submissions.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Peter Meffert,

Acting Chief, Office of Regulations.

[FR Doc. 2022-07634 Filed 4-8-22; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1196]

Certain In Vitro Fertilization Products, Components Thereof, and Products Containing the Same; Notice of Commission Final Determination To Issue a Limited Exclusion Order and a Cease and Desist Order; Termination of the Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to issue a limited exclusion order (“LEO”) barring entry of certain in vitro fertilization products, components thereof, and products containing the same, that infringe Complainant’s asserted trademarks and that are imported by or on behalf of respondents FastIVF of Scottsdale, Arizona (“FastIVF”) and Hermes Ezcanesi of Istanbul, Turkey (collectively, the “Defaulting Respondents”). The Commission has further determined to issue a cease and desist order (“CDO”) directed to Defaulting Respondent FastIVF. The investigation is terminated.

FOR FURTHER INFORMATION CONTACT: Houda Morad, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708-4716. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help

accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: On April 16, 2020, the Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“section 337”), based on a complaint filed by complainant EMD Serono, Inc. of Rockland, Massachusetts (“Complainant”). *See* 85 FR 21267-68 (Apr. 16, 2020). The complaint, as amended and supplemented, alleges a violation of section 337 based on the importation into the United States, the sale for importation, and the sale within the United States after importation of certain *in vitro* fertilization products, components thereof, and products containing same (collectively, “Gray Market IVF Products”), by reason of infringement of U.S. Trademark Registration Nos. 4,689,651; 1,772,761; 3,777,170; 3,389,332; 3,816,320; 1,972,079; 3,604,207; and 3,185,427 (collectively, “the Asserted Trademarks”); unfair methods of competition and unfair acts in the importation and sale of Gray Market IVF Products by reason of false designation of source; and unfair methods of competition and unfair acts in the importation and sale of the Gray Market IVF Products by reason of false advertising. *See id.* In addition to the Defaulting Respondents, the notice of investigation names General Plastik Drug Stores (“Unserviced Respondent”) of Istanbul Suadiye, Turkey as a respondent in this investigation. *See id.* The Office of Unfair Import Investigations (“OUII”) is also a party to the investigation. *See id.*

On September 1, 2020, the Chief ALJ issued an initial determination (“ID”) finding each of the Defaulting Respondents in default. *See* Order No. 6 (Sept. 1, 2020), *unreviewed by* Comm’n Notice (Sept. 24, 2020). On October 13, 2020, the Chief ALJ also issued an ID terminating Unserved Respondent from the investigation

based on the withdrawal of the complaint allegations as to that respondent. *See* Order No. 8 (Oct. 13, 2020), *unreviewed by* Comm’n Notice (Oct. 26, 2020).

On April 16, 2021, the Chief ALJ issued an ID (Order No. 10) (“SD”) granting in part Complainant’s motion for summary determination of violation of section 337 by the Defaulting Respondents with respect to Complainant’s claim under section 337(a)(1)(C) (infringement of the Asserted Trademarks) but denied the motion with respect to Complainant’s unfair competition claims under section 337(a)(1)(A). In addition, the Chief ALJ recommended that the Commission issue a general exclusion order (“GEO”) and set a bond at 100 percent during the period of Presidential review.

On May 18, 2021, the Commission determined to review the SD (Order No. 10) in part. *See* Comm’n Notice (May 18, 2021). Specifically, the Commission determined to review the SD’s findings with respect to the economic prong of the domestic industry requirement. *See id.* The Commission determined not to review any other findings in the SD.

On October 6, 2021, the Commission determined to vacate the SD in part. Specifically, the Commission vacated the SD’s finding that Complainant has satisfied the economic prong of the domestic industry requirement. Consequently, the Commission also vacated the SD’s finding of a violation of section 337 and remanded the investigation to the Chief ALJ. Because Complainant requested a GEO, the Commission found that Complainant failed to establish a violation by “substantial, reliable, and probative evidence” and that genuine issues of material fact remained as to whether the economic prong of the domestic industry requirement was satisfied. *See* Comm’n Op. at 8 n.9, 25 (Oct. 6, 2021) (citing 19 U.S.C. 1337(g)(2)). Commissioners Karpel and Schmidlein dissented from the Commission’s decision that Complainant had failed to satisfy the economic prong of the domestic industry requirement and would have found a violation of section 337 based on substantial, reliable, and probative evidence.